

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

BANK BRUSSELS LAMBERT,

Plaintiff,

v.

**FIDDLER GONZALEZ & RODRIGUEZ,
AMERICAN INTERNATIONAL
INSURANCE COMPANY OF PUERTO
RICO,**

Defendants.

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* CIVIL NO. 98-1698(JP)

* Judge James A. Michael

STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE

TO THE HONORABLE COURT:

NOW COME the parties, plaintiff, BANK BRUSSELS LAMBERT (“BBL”), defendant FIDDLER GONZALEZ & RODRIGUEZ, LLP (“FG&R”), and defendant AMERICAN INTERNATIONAL INSURANCE COMPANY (“AIICO”), through their undersigned attorneys, and respectfully stipulate as follows:

1. On or about June 18, 1998, BBL instituted this action designed to provide a forum for its claims against Fiddler in the event a New York action were dismissed for lack of personal jurisdiction.
2. On or about January 14, 2003, this action was “stayed pending resolution of all the outstanding issues remaining in the New York action.”
3. On September 26, 2005, the Court in the New York action issued an Order of Dismissal of the New York action “with prejudice and without costs to any party, subject to the right to reopen if the settlement is not consummated within 45 days,” i.e., November 10, 2005.

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4. The parties hereby stipulate to the dismissal of this action with prejudice and without any imposition of costs or attorneys' fees.

WHEREFORE, the parties respectfully request that the Court enter judgment dismissing this action with prejudice and have each party bear its own costs and attorneys' fees.

In San Juan, Puerto Rico, this day of October, 2005.

s/EDILBERTO BERRIOS PEREZ
U.S.D.C. NO. 123605

s/ CARLOS A. RODRIGUEZ VIDAL
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